UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,033	02/03/2006	Noriyuki Sakoh	278840US6PCT	2415

22850   7590   02/02/2009
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EXAMINER
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ART UNIT	PAPER NUMBER
2184	

NOTIFICATION DATE	DELIVERY MODE
02/02/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/567,033	SAKOH ET AL.
	Examiner	Art Unit	
	JUANITO C. BORROMEO	2184	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 February 2006*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-41* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-41* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *23 February 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All   b)☐ Some * c)☐ None of:
      1.☒ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date *5/3/2006, 2/03/2006*.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35

U.S.C. 112:

> The specification shall conclude with one or more claims particularly
> pointing out and distinctly claiming the subject matter which the applicant
> regards as his invention.

Claims 1 - 41 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point

out and distinctly claim the subject matter which applicant

regards as the invention.

Claim 1 recites the limitation "the first step", "the

second step", "the third step", and "the fourth step" in 91,

lines 1-8. There is insufficient antecedent basis for this

limitation in the claim. Similar deficiencies occur in claims

12, 23, 30, and 41.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine,
> manufacture, or composition of matter, or any new and useful improvement
> thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

Claims 1, 30, and 41 are rejected under 35 U.S.C. 101 because

they are directed towards non-statutory subject matter. The

method of claims 1, 30, and 41 do not produce any results.

Claim 41 fails to assert the program recorded on an
appropriate computer-readable medium so as to be structurally
and functionally interrelated to the medium and permit the
function of the descriptive material to be realized. Since a
computer program is merely a set of instructions capable of
being executed by a computer without a computer-readable medium
needed to realize the computer program's functionality, it is
regarded as nonstatutory functional descriptive material. See
MPEP 2106.01 for details.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which
forms the basis for all obviousness rejections set forth in this
Office action:

> (a) A patent may not be obtained though the invention is not identically
> disclosed or described as set forth in section 102 of this title, if the
> differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the
> art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

Claims 1 – 11 and 30 – 41 are rejected under 35 U.S.C.
103(a) as being unpatentable over Araki et al. (US Pat. No.
6014696), hereinafter Araki in view of Inohara et al. (US Pat.
No. 6256747).

Referring to claim 1, Araki a page data receiving method comprising:

the first step of transmitting a first request signal (Fig. 2, First reference-restricted page) for requesting first page data;

the second step of transmitting a second request signal (Fig. 2, Second reference-restricted page) for requesting second page data;

the third step of receiving said first page data, after the reception of notification page data indicating predetermined notification information (Fig. 2, Third reference-restricted page) according to said first request signal.

Araki does not explicitly disclose the fourth step of receiving said second page data, after the reception of said notification page data according to said second request signal.

Inohara discloses a distributed information processing system for servers. Therefore, it would have been obvious to one of ordinary skill in the art to modify the system of Araki to include the distributed information processing system for servers of Inohara to include the fourth step of receiving said second page data, after the reception of said notification page data according to said second request signal.

The motivation of doing so would have been to inform user
of the status of the status of the servers.

As of claim 2, Araki discloses the page data receiving
method according to claim 1, wherein:

the fifth step, when said second request signal transmitted
in said second step is rejected (Fig. 7, Page-descriptive file
(0)) by a second page data providing apparatus that provides
said second page data, of requesting a first page data providing
apparatus that provides said first page data to transmit
information necessary for acceptance that is necessary for
making said second page data providing apparatus accept said
second request signal, and the sixth step of receiving said
information necessary for acceptance transmitted (Fig. 7, Page-
descriptive file (1)) from said first page data providing
apparatus and address information about said notification page
data, according to said request are included; and

in said fourth step, said notification page data is
received by accessing said first page data providing apparatus
based on said received address information about said
notification page data, a notification page (Fig. 7, Page-
descriptive file (4)) indicating said notification information
is displayed in the display section, based on said received

notification page data, and said second page data is received

from said second page data providing apparatus by transmitting

again said second request signal together with said information

necessary for acceptance, according to an operation to said

notification page displayed in said display section (Col. 2,

lines 17-28).

As of claim 3, Araki discloses the page data receiving

method according to claim 2, wherein;

when in accessing said first page data providing apparatus

based on said address information (WWW server, col. 2 line 10)

about the notification page data, address information

corresponding to said second page data is transmitted to the

above first page data providing apparatus, so that said

notification page data (Fig. 7, Page-descriptive file (4))

including address information corresponding to said second page

data is received from said first page data providing apparatus.

As to claim 4, Araki discloses the page data receiving

method according to claim 2, wherein;

when in accessing said first page data providing apparatus

based on said address information about the notification page

data (col. 7, lines 31-45), service identification information

to identify said second page data is transmitted to the above

first page data providing apparatus, so that said notification

page data including additional information corresponding to said

service identification information is received from said first

page data providing apparatus (col. 3, lines 10-29).

As to claim 5, Araki discloses the page data receiving

method according to claim 1, wherein; in said notification page

data, also the status of service corresponding to said second

page data is indicated (col. 5, lines 37-45).

As to claim 6, Araki discloses the page data receiving

method according to claim 1, wherein; in said first page data,

also link information to said second page data is included (col.

5, lines 37-45).

As to claim 7, Araki discloses the page data receiving

method according to claim 1, wherein:

the fifth step, when said second request signal transmitted

in said second step is rejected (Fig. 7, Page-descriptive file

(0)) by a second page data providing apparatus that provides

said second page data, of requesting a first page data providing

apparatus that provides said first page data to transmit

information necessary for acceptance that is necessary for
making said second page data providing apparatus accept said
second request signal, the sixth step, when said request is
rejected by said first page data providing apparatus, of
transmitting (Fig. 7, Page-descriptive file (1)) user
identification information and a password to the above first
page data providing apparatus, and the seventh step of receiving
an authentication session ID transmitted (Fig. 2, Response
agreement to reference restriction) from the first page data
providing apparatus and address information about said
notification page data, which are obtained by that said first
page data providing apparatus authenticates said user
identification information and password (Password, col. 6, lines
26-38), are included; and

     in said fourth step, said notification page data is
received by accessing said first page data providing apparatus
by adding said authentication session ID, based on said received
address information about said notification page data, a
notification page indicating said notification information is
displayed in the display section, based on said received
notification page data, a signal (Fig. 1, element 1) for
requesting said information necessary for acceptance is
transmitted again to said first page data providing apparatus,

said information necessary for acceptance transmitted by said
first page data providing apparatus according to said request is
received, and said second page data is received from said second
page data providing apparatus by that said second request signal
is transmitted again together with said information necessary
for acceptance (col. 6, lines 26-35).

As to claim 8, Araki discloses the page data receiving
method according to claim 7, wherein; when in accessing said
first page data providing apparatus based on the address
information about said notification page data (col. 6, lines 55-
60), address information corresponding to said second page data
is transmitted to the above first page data providing apparatus,
so that said notification page data including the address
information corresponding to said second page data is received
from said first page data providing apparatus (col. 8, lines 37-
42).

As to claim 9, Araki discloses the page data receiving
method according to claim 7, wherein; when in accessing said
first page data providing apparatus based on the address
information about said notification page data (Fig. 1, Page-
descriptive file (0)), service identification information to

identify said second page data is transmitted to the above first

page data providing apparatus, so that said notification page

data including additional information corresponding to said

service identification information is received from said first

page data providing apparatus (col. 7, lines 20-28).

As to claim 10, Araki discloses the page data receiving

method according to claim 7, wherein; in said notification page

data, also the status of service corresponding to said second

page data is indicated (Fig. 7, Page-descriptive file (2))).

As to claim 11, Araki discloses the page data receiving

method according to claim 7, wherein; in said first page data,

also link information to said second page data is included Fig.

7, Page-descriptive file (1)).

Claims 30 – 40 recite the corresponding limitations of

claims 1 – 11. Also, the program of claim 41 recites the

corresponding limitations of claim 1. Therefore, they are

rejected accordingly.

Claims 12 – 22 recite the corresponding limitations of

claims 1 – 11. Therefore, they are rejected accordingly.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs

of 35 U.S.C. 102 that form the basis for the rejections under

this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12 – 29 are rejected under 35 U.S.C. 102(b) as being

Araki.

Referring to claim 12, Araki discloses a page data

providing method for a page data providing apparatus storing

notification page data indicating predetermined notification

information and first page data (Fig. 1, Page-descriptive file

(1)), comprising:

the first step, if the apparatus receives a first request

signal (Fig. 2, First reference-restricted page) that requests

said first page data from a terminal unit, of transmitting said

notification page data to said terminal unit before transmitting

said first page data; and

the second step, if said terminal unit transmits a second

request signal for requesting second page data (Fig. 2, Second

reference-restricted page) transmit to another page data

providing apparatus that provides said second page data, of

transmitting said notification page data to said terminal unit

before said second page data is transmitted from said other page

data providing apparatus according to said second request signal

(col. 5, lines 38-45).

As to claim 13, Araki discloses the page data providing

method according to claim 12, wherein;

in said second step, after said second request signal from

said terminal unit was rejected (Fig. 7, Page-descriptive file

(0)) by said other page data providing apparatus, if information

necessary for acceptance that is necessary for making the above

other page data providing apparatus accept said second request

signal is requested from said terminal unit (col. 6, lines 29-

30), said information necessary for acceptance and address

information about said notification page data is transmitted to

said terminal unit, and if there is access from said terminal

unit that received said information necessary for acceptance and

the address information about said notification page data based

on the above address information, said notification page data is

transmitted to said terminal unit, so that a notification page

based on said notification page data is displayed in the display

section of said terminal unit (col. 7, lines 36-47).

As to claim 14, Araki discloses the page data providing method according to claim 13, wherein; if there is access from said terminal unit based on the address information about said notification page data (Fig. 9, step 501), if address information corresponding to said second page data is received from said terminal unit (Fig. 9, step 502), said notification page data including the address information corresponding to the above second page data is transmitted to said terminal unit.

As to claim 15, Araki discloses the page data providing method according to claim 13, wherein; if there is access from said terminal unit based on the address information about said notification page data, if service identification information to identify said second page data is received from said terminal unit, said notification page data including additional information that corresponds to the above service identification information is transmitted to said terminal unit (shown in steps of Fig. 9).

As to claim 16, Araki discloses the page data providing method according to claim 12, wherein; in said notification page

data, also the status of service corresponding to said second

page data is indicated (Fig. 11, element 1).

As to claim 17, Araki discloses the page data providing

method according to claim 12, wherein; in said first page data,

also link information to said second page data is included (Fig.

11, element 4).

Claim 18 recites the corresponding limitations of claim 7.

Therefore, they are rejected accordingly.

As to claim 19, Araki discloses the page data providing

method according to claim 18, wherein; when there has been

accessed from said terminal unit based on the address

information about said notification page data (Fig. 10, step

601), if address information corresponding to said second page

data is received from said terminal unit, said notification page

data including the address information corresponding to the

above second page data is transmitted to said terminal unit

(Fig. 10, step 603).

As to claim 20, Araki discloses the page data providing

method according to claim 18, wherein; when there has been

accessed from said terminal unit based on the address

information about said notification page data (Fig. 9, step

502), if service identification information to identify said

second page data is received from said terminal unit (Fig. 9,

step 504), said notification page data including additional

information that corresponds to the above service identification

information is transmitted to said terminal unit.

As to claim 21, Araki discloses the page data providing

method according to claim 18, wherein; in said notification page

data, also the status of service corresponding to said second

page data is indicated (col. 5, lines 37-45).

As to claim 22, Araki discloses the page data providing

method according to claim 18, wherein; in said first page data,

also link information to said second page data is included (col.

5, lines 37-45).

As to claim 24, Araki discloses the terminal unit according

to claim 23, wherein:

said transmitting means (Fig. 2, WWW browser 4), if said

second request signal transmitted by said transmitting means is

rejected by a second page data providing apparatus that provides

said second page data, transmits a request signal for requesting

a first page data providing apparatus that provides said first

page data to transmit information necessary for acceptance that

is necessary for making said second page data providing

apparatus accept said second request signal;

said receiving means (Fig. 2, WWW server 3), receives said

information necessary for acceptance transmitted from said first

page data providing apparatus according to said request, and

address information (FIG. 2, S2) about said notification page

data, receives said notification page data by accessing said

first page data providing apparatus, based on said received

address information about said notification page data, and

transmits said notification page in which notification

information is indicated to a display section, based on said

received notification page data; and said transmitting means,

transmits again said second request signal together with said

information necessary for acceptance, according to an operation

to said notification page displayed in said display section; and

said receiving means (FIG. 2, S13), receives said second page

data from said second page data providing apparatus in response

to said retransmission.

Claims 23, 25, 26, 27 and 28 recite the corresponding

limitations of claims 12, 14, 15, 18 and 20. Therefore, they are

rejected accordingly.

   As to claim 29, Araki discloses the terminal unit according

to claim 27, wherein; when in accessing said first page data

providing apparatus based on the address information about said

notification page data (Fig. 2, S1), service identification

information to identify said second page data is transmitted to

the above first page data providing apparatus, so that said

notification page data including additional information that

corresponds to said service identification information is

received from said first page data providing apparatus (Fig. 2,

S5).

Conclusion

   The prior art made of record and not relied upon is

considered pertinent to applicant's disclosure.

   Cote et al. (US Pat. No. 6021262) discloses a system and

method for detection of, notification of, and automated repair

of problem condition in a messaging system.

Contact Information

   Any inquiry concerning this communication or earlier
communications from the examiner should be directed to JUANITO
C. BORROMEO whose telephone number is (571)270-1720. The

examiner can normally be reached on Mon-Fri, 8:30 AM - 5:00 PM,
ET.

   If attempts to reach the examiner by telephone are
unsuccessful, the examiner's supervisor, Henry Tsai can be
reached on 571 272 4176. The fax phone number for the
organization where this application or proceeding is assigned is
571-273-8300.

   Information regarding the status of an application may be
obtained from the Patent Application Information Retrieval
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access to the automated information system, call 800-786-9199
(IN USA OR CANADA) or 571-272-1000.

/Henry W.H. Tsai/
Supervisory Patent Examiner, Art Unit 2184